

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Robert M. Charles, Jr. NV State Bar No. 006593
Email: rcharles@lrlaw.com
John C. Hinderaker AZ State Bar No. 18024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**STATUS AND AGENDA FILED BY
USACM LIQUIDATING TRUST**

Hearing Date: April 19, 2012
Hearing Time: 10:00 A.M.
Estimated Time of Hearing: 2.0 hours

**1. Status Conference Re Objection of USACM Liquidating Trust To Proof of
Claim No. 10725-00398-3 In Amount of \$200,000 By Walls Family Trust Dated 12/10/97:**

Filed: 9/21/11	Objection to Claim of Walls Family Trust Dated 12/10/97 in the Amount of \$200,000 [DE 9145]
9/21/11	Amended Notice of Hearing Re Objection to Proof of Claim No. 10725-00398-3 In The Amount of \$200,000 by Walls Family Trust Dated 12/10/97 [DE 9147]
10/04/11	Opposition filed by Walls Family Trust Dated 12/10/97 [DE 9362]
11/30/11	Order Setting Status Conference on Response of Walls family Trust to Objection of USACM Liquidating Trust to Proof of Claim [DE 9573]
01/30/12	Notice of Continued Status Conference Re Proofs of Claim Filed By Walls Family Trust [DE 9689]
2/1/12	Certificate of Service of DE 9689 [DE 9703]
Status	Mediation is scheduled on June 11, 2012 before the Honorable Judge Gregg Zive in Reno, NV. The Trust will ask that the Court set this matter for a status conference in late June.

1
2 **2. Status Conference Re Response of Walls Family Trust To Objection Of**
3 **USACM Liquidating Trust To Proofs of Claim Based Entirely Upon Investment In Fox**
4 **Hills 216:**

5 **Filed:** Fourth Omnibus Objection of USACM Liquidating Trust to Proofs of
6 **7/13/11** Claim Based Entirely Upon Investment In The Fox Hills 216, LLC
7 Loan [DE 8615]
8 **09/21/11** Order Sustaining Fourth Omnibus Objection of USACM Trust to
9 Proofs of Claim Based Entirely Upon Investment in the Fox Hills 216,
10 LLC Loan [DE 9144]
11 **10/07/11** Order Setting Status Hearing Re Objection to Proof of Claim of Joseph
12 Wall Status Hearing Scheduled For 11/15/11 at 9:30 A.M. [DE 9338]
13 **11/15/11** Minute Entry Re: Hearing on 11/15/11 at 9:30 A.M. Continued. [DE
14 9521]
15 **12/05/11** Order Setting Status Conference on Responses of Walls Family Trust to
16 Fourth Omnibus Objection of USACM Liquidating Trust to Proofs of
17 Claim Based Entirely Upon Investment in the Fox Hills 216, LLC
18 Loan. Status Hearing to be held on 1/19/12 at 10:00 a.m. [DE 9584]
19 **12/09/11** Certificate of Service re Order Setting Status Conference on Response
20 of Walls Family Trust to Fourth Omnibus Objection of USACM
21 Liquidating Trust to Proofs of Claim Based Entirely Upon Investment
22 in Fox Hills 216, LLC Loan [DE 9607]
23 **01/30/12** Notice of Continued Status Conference Re: Proofs Of Claim Filed By
24 Walls Family Trust [DE 9689]
25 **2/1/12** Certificate of Service of DE 9689 [DE 9703]
26 **Status** Mediation is scheduled on June 11, 2012 before the Honorable Judge
Gregg Zive in Reno, NV. The Trust will ask that the Court set this
matter for a status conference in late June.

23 **3. Status Hearing Re Robert Susskind Response Re Eleventh Omnibus**
24 **Objection of USACM Trust To Proofs of Claim Based In Part Upon Investment In The Fox**
25 **Hills 216 Loan:**

1 **Filed:** Eleventh Omnibus Objection of USACM Trust to Proofs of Claim Based In
2 **7/13/11** Whole Or In Part Upon Investment In The Fox Hills 216 LLC Loan [DE
3 8622]
4 **9/21/11** Order Sustaining Eleventh Omnibus Objection of USACM Trust to Proofs of
5 Claim Based In Part Upon Investment In The Fox Hills 216, LLC Loan;
6 Except For Proof of Claim of Robert Susskind; and Notice of Status Hearing
7 Re Robert Susskind Proof of Claim [DE 9153]
8 **10/07/1** Order Setting Status Hearing Re Objection to Proof Of Claim Of Robert
9 **1** Susskind [DE 9336]
10 **11/15/11** Minute Entry Re Hearing On 11/15/11 at 9:30 A.M. Continued. [DE 9522]
11 **12/05/11** Order Setting Status Conference on Response of Robert Susskind to
12 Eleventh Omnibus Objection of USACM Liquidating Trust to Proofs of
13 Claim Based Entirely Upon Investment In The Fox Hills 216 LLC Loan [DE
14 9585]
15 **12/09/11** Certificate of Service re Order Setting Status Conference on Response of
16 Robert Susskind to Eleventh Omnibus Objection of USACM Liquidating
17 Trust to Proofs of Claim Based Entirely Upon Investment In The Fox Hills
18 216 LLC Loan [DE 9604]
19 **01/19/12** Minute Entry Re Hearing On 1/19/12 at 10:00 A.M. Continued. [DE 9663]
20 **01/30/12** Notice of Continued Status Conference Re Proofs of Claim Filed By Robert
21 Susskind [DE 9690]
22 **2/1/12** Certificate of Service of Notice of Continued Status Conference [DE 9705]
23 **Status** Mediation is scheduled on June 11, 2012 before the Honorable Judge Gregg
24 Zive in Reno, NV. The Trust will ask that the Court set this matter for a
25 status conference in late June.
26

21 **4. Status Hearing Re Rosalie Morgan Response Re Second Omnibus Objection**
22 **of USACM Trust to Proofs of Claim Based In Part Upon Investment in the Binford**
23 **Medical Development Loan with Certificate of Service:**

24 **Filed:** Second Omnibus Objection of USACM Trust to Proofs of Claim Based
25 **8/07/11** Entirely Upon Investment In The Binford Medical Developers Loan [DE
26 8855]
10/20/11 Order Sustaining Second Omnibus Objection of USACM Trust to Proofs of
Claim Based Entirely Upon Investment in The Binford Medical Developers

1 Loan; Except for Claim of Rosalie Morgan, and Notice of Status Hearing re
2 Rosalie A. Morgan IRA Proof of Claim [DE 9426]
3 **11/15/11** Minute Entry Re Hearing on 11/15/11 at 9:30 a.m. Continued. [DE
4 9529]
5 **12/05/11** Order Setting Status Conference on Response of Rosalie Morgan to Second
6 Omnibus Objection of USACM Trust to Proofs of Claim Based In Part Upon
7 Investment In Binford Medical Developers Loan [DE 9587]
8 **12/09/11** Certificate of Service Re Order Setting Status Conference on Response of
9 Rosalie Morgan to Second Omnibus Objection of USACM Trust to Proofs of
10 Claim Based In Part Upon Investment In The Binford Medical Developers
11 Loan [DE 9606]
12 **01/30/12** Notice Of Continued Status Conference Re Proofs of Claim Filed By Rosalie
13 Morgan [DE 9687]
14 **2/1/12** Certificate of Service re Notice of Continued Status Conference [DE 9700]
15 **Status** Mediation is scheduled on June 11, 2012 before the Honorable Gregg Zive in
16 Reno, NV. The Trust will ask that the Court set this matter for a status
17 conference in late June.

18
19
20
21
22
23
24
25
26
**5. Status Conference Re Objection Of USACM Liquidating Trust To Proof of
Claim No. 10725-00398-2 In Amount of \$200,000 By Walls Family Trust Dated 12/10/97:**

Filed: Objection to Claim No. 10725-00398-2 of Walls Family Trust Dated
9/18/11 12/10/97 In The Amount of \$200,000 [DE 9126]
10/04/11 Opposition Filed by Walls Family Trust Dated 12/10/97 [DE 9362]
11/15/11 Minute Entry Re: Hearing on 11/15/11 at 9:30 A.M. - continued [DE 9535]
12/20/11 Order Setting Status Conference on Response of Walls Family Trust to
Objection of USACM Liquidating Trust to Proof of Claim 10725-00398-2
[DE 9624]
12/27/11 Certificate of Service Re Order Setting Status Conference on Response Of
Walls Family Trust [DE 9635]
01/30/12 Notice of Continued Status Conference Re Proofs of Claim Filed By Walls
Family Trust [DE 9689]

1 **2/1/12** Certificate of Service of DE 9689 [DE 9703]

2 **Status** Mediation is scheduled on June 11, 2012 before the Honorable Judge Gregg
3 Zive in Reno, NV. The Trust will ask that the Court set this matter for a
4 status conference in late June.

5 **6. Status Conference Re Response Of Walls Family Trust to Tenth Omnibus**
6 **Objection To Duplicate Proofs of Claim:**

7 **Filed:** Tenth Omnibus Objection of USACM Liquidating Trust to Duplicate
8 **9/15/11** Proofs of Claim [DE 9060]

9 **11/09/11** Order Sustaining Tenth Omnibus Objection of USACM Liquidating Trust to
10 Duplicate Proofs of Claim; Except For Claims of Joseph Walls; and Notice
11 of Status Hearing Re Joseph Walls [DE 9499]

12 **12/20/11** Order Setting Status Conference on Response of Walls Family Trust to
13 Objection of USACM Liquidating Trust to Proof of Claim 10725-00398-2 in
14 the Amount of \$200,000 by Walls Family Trust Dated 12/10/97 and
15 Response to Tenth Omnibus Objection of USACM Trust to Duplicate Proofs
16 of Claim [DE 9624]

17 **12/27/11** Certificate of Service Re Order Setting Status Conference on Response Of
18 Walls Family Trust [DE 9635]

19 **01/30/12** Notice of Continued Status Conference Re: Proofs Of Claim Filed By Walls
20 Family Trust [DE 9689]

21 **2/1/12** Certificate of Service of DE 9689 [DE 9703]

22 **Status** Mediation is scheduled on June 11, 2012 before the Honorable Judge Gregg
23 Zive in Reno, NV. The Trust will ask that the Court set this matter for a
24 status conference in late June.

25 **7. Status Hearing As To Ovca Associates Defined Pension Plan Only Re Second**
26 **Omnibus Objection of USACM Liquidating Trust to Proof of Claim Based In Part Upon**
Investment In The Bundy Canyon (\$5.75 Million) Loan with Certificate of Service:

27 **Filed:** Second Omnibus Objection of USACM Liquidating Trust to Proof of Claim
28 **7/26/11** Based In Part Upon Investment In The Bundy Canyon (\$5.75 Million) Loan
29 [DE 8734]

1 **7/26/11** Declaration of Geoffrey L. Berman In Support Of Omnibus Objections Of
2 USACM Trust to Proofs of Claim Based Upon Investment In The Bundy
3 Canyon (\$5.75 Million) Loan [DE 8735]
4
5 **7/26/11** Declaration of Edward M. Burr In Support Of Omnibus Objections Of
6 USACM Trust to Proofs of Claim Based Upon Investment In The Bundy
7 Canyon (\$5.75 Million) Loan [DE 8736]
8
9 **10/03/11** Order Sustaining Second Omnibus Objection of USACM Trust to Proofs of
10 Claim Based in Part Upon Investment in the Bundy Canyon (\$5.75 Million)
11 Loan [DE 9271]
12
13 **12/19/11** Minute Entry Re: Hearing on 12/19/11 at 9:30 A.M. Continued [DE 9618]
14 **1**
15
16 **3/7/12** Notice of Continued Status Conference re Proofs of claim filed by Ovca
17 Associates. Inc. Defined Pension Plan [DE 9741]
18
19 **3/7/12** Certificate of Service Notice of Continued Status Conference re Proofs of
20 Claim Filed by Ovca Associates Defined Pension Plan [DE 9742],
21
22 **Status** An Order Granting Stipulated Motion to Approve, In Part, Proof of Claim
23 No. 10725-01574 Filed by Ovca Associates, Inc. Defined Pension Plan has
24 been entered resolving this matter. [DE 9775]. This hearing may be vacated.
25
26

16 **8. Status Hearing re Mark Fanelli response to First Omnibus Objection of**
17 **USACM Trust to Proofs of Claim Based Entirely Upon Investment In Del Valle Livingston**
18 **Loan with Certificate of Service:**

18 **Filed:** First Omnibus Objection Of USACM Trust To Proofs Of Claim Based
19 **6/23/11** Entirely Upon Investment In Del Valle Livingston Loan [DE 8533]
20
21 **10/7/11** Order Setting Status Hearing Re Objection to Proof of Claim by Mark
22 Fanelli. Status Hearing scheduled for 11/15/2011 at 9:30 a.m. [DE 9323]
23
24 **12/5/11** Order Setting Status Conference on Response of Mark Fanelli to First
25 Omnibus Objection of USACM Liquidating Trust to Proofs of Claim Based
26 Entirely Upon Investment in Del Valle Livingston Loan. Status hearing to be
 held on 1/19/2012 at 10:00 AM [DE 9589]
27
28 **12/9/11** Certificate of Service re Order Setting Status Conference On Response of
29 Mark Fanelli to First Omnibus Objection of USACM Liquidating Trust To
30 Proofs of Claim Based Entirely Upon Investment In Del Valle Livingston
31 Loan [DE 9600]

1 **1/30/12** Notice Of Continued Status Conference Re Proof of Claim Filed By Mark
2 Fanelli [DE 9686]
3 3/1/12 Minute Entry Re: hearing on 3/1/2012 10:00 A.M. Continued [DE 9734]
4 3/16/12 Order Setting Status conference re Proof of Claim filed by Mark Fanelli and
5 Notice [DE 9758]
6 3/20/12 Certificate of Service of Order Setting Status Conference [DE 9760]
7 **Status** The Trust's counsel agreed to settlement terms during a telephone
8 conversation on February 28, 2012.. The Trust sent Mr. Fanelli a draft
9 settlement agreement on March 1, 2012. However, Mr. Fanelli has failed to
10 sign and return the draft agreement, and does not return telephone calls or
11 respond to e-mails. Pursuant to the Order Setting the Status Conference, the
12 USACM Trust requests that Mr. Fanelli's failure to appear be deemed a
13 withdrawal of his response and his claim be disallowed in its entirety.

12 **9. USACM Liquidating Trust's Motion To Authorize Second Installment of**
13 **Second Interim Distribution to Unsecured Creditors re BERT STEVENSON ONLY:**

14 **Filed:** USACM Liquidating Trust's Motion To Authorize Second Installment of
15 **1/31/12** Second Interim Distribution To Unsecured Creditors [DE 9693]
16 **1/31/12** Declaration Of: Edward M. Burr In Support of USACM Liquidating Trust's
17 Motion to Authorize Second Installment of Second Interim Distribution To
18 Unsecured Creditors [DE 9695]
19 **1/31/12** Notice of Hearing For USACM Liquidating Trust's Motion To Authorize
20 Second Installment Of Second Interim Distribution to Unsecured Creditors
21 Hearing Date: March 1, 2012 Hearing Time: 10:00 a.m. [DE 9696]
22 **2/10/12** Certificate of Service of James H. Myers, BMC Group, Inc., The Claims and
23 Noticing Agent [DE 9713]
24 **3/1/12** Minute Entry Re: Hearing on 3/1/2012 10:00 AM. Continued. [DE
25 9736]
26 **3/21/12** Order Approving USACM Liquidating Trust's Motion to Authorize Second
Installment of Second Interim Distribution to Unsecured Creditors [DE
9763]
Status Counsel for the USACM Trust will update the Court at the hearing.

1 **10. Joint Motion to Amend Court's Order Granting USACM Trust's Motion to**
2 **Allow Proofs of Claim Based Upon Investment in the Amesbury Hatters Point Loan as to**
3 **Proof of Claim 10725-00474 by Frank Davenport ONLY:**

4 **Filed:** Joint Motion To Amend Court's Order Granting USACM Trust's Motion To
5 **3/13/12** Allow Proofs of Claim Based Upon Investment in the Amesbury Hatters
6 Point Loan as to Proof of Claim No. 10725-00474 by Frank Davenport [DE
7 9753]

8 **3/13/12** Notice of Hearing Re Joint Motion To Amend Court's Order Granting
9 Motion To Allow Proofs of Claim Based Upon Investment In The Amesbury
10 Hatters Point Loan as to Proof of Claim No. 10725-00474 By Frank
11 Davenport Hearing Date: 04/19/2012 Hearing Time: 10:00 A.M. [DE 9754]

12 **Status:** Counsel for the USACM Trust will update the Court at the hearing.

13 **11. USACM Trust's Motion To Clarify the Record Regarding Proof of Claim**
14 **No. 10725-01501 - 10725-01510 Filed by Panagiotis Dovanidis and Dimitra Dovanidou:**

15 **Filed:** USACM Trust's Motion to Clarify The Record Regarding Proof of Claim
16 **3/20/12** Nos. 10725-01501 - 10725-01510 Filed By Panagiotis Dovanidis and
17 Dimitra Dova [DE 9761]

18 **3/20/12** Notice of Hearing Re Motion to Clarify The Record Regarding Proof Of
19 Claim Nos. 10725-01501 - 10725-01510 Filed By Panagiotis Dovanidis and
20 Dimitra Dovanidou Hearing Date: April 19, 2012 Hearing Time: 10:00 a.m.
21 [DE 9762]

22 **Status:** No response has been filed. The Trust will ask that the Court grant the
23 Motion.

24 DATED April 13, 2012.

25 **LEWIS AND ROCA LLP**

26 By: /s/ John Hinderaker (AZ #18024)
 Robert M. Charles, Jr., NV 6593
 John Hinderaker, AZ 18024 (*pro hac vice*)
 Attorneys for USACM Liquidating Trust